

LAST AVAILABLE COPY

NOV 25 2002

11-01-000

PATENT & TRADEMARK OFFICE

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>#23</i>	<i>Re: RCE</i>
<i>Filing</i>	<i>10/26/02</i>
<i>Application Number</i>	09/521,524
<i>Filing Date</i>	March 8, 2000
<i>First Named Inventor</i>	Beverly L. Davidson et al.
<i>Group Art Unit</i>	1648
<i>Examiner Name</i>	Shanon A. Foley
<i>Attorney Docket Number</i>	875.025US1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application entitled RAPID GENERATION OF RECOMBINANT ADENOVIRAL VECTORS.

Submission required under 37 C.F.R. § 1.114

RECEIVED

NOV 26 2002

TECH CENTER 1600/2900

1. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
2. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
3. An Amendment Under 37 CFR § 1.116 (____ pages) is enclosed.
4. A new power of attorney (____ pages) is enclosed.
5. An Information Disclosure Statement is enclosed (____ pages)
 - a. Form(s) 1449
 - b. Copies of IDS Citations
6. A check in the amount of \$370.00 is attached to pay the RCE filing fee required under C.F.R. § 1.17(e).
7. **The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 C.F.R. §§ 1.16 through 1.18 to Deposit Account No. 19-0743.**
8. A petition for extension of time in the prior application (1 page) is enclosed, with authorization to charged extension fee to Deposit Acct. 19-0743.
9. Other: Preliminary Amendment (9 pages), with Clean Version of Pending Claims (2 pgs)

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By: Ann S. Viksnins
Atty: Ann S. Viksnins
Reg. No. 37,748

Customer Number 21186

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, D.C. 20231, on this 18TH day of November, 2002.

Candis B. Buending

Name

Signature

11/26/2002 AWONDAF1 00000167 190743 09521524

01 FC:2801

370.00 CH

S/N 09/521,524



#245
Andt. 1(RCE)
PATENT
10/2/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Beverly L. Davidson et al.

Examiner: Shanon A. Foley

Serial No.: 09/521,524

Group Art Unit: 1648

Filed: March 8, 2000

Docket: 875.025US1

CPA FILED: NOVEMBER 18, 2002

Title: RAPID GENERATION OF RECOMBINANT ADENOVIRAL VECTORS

PRELIMINARY AMENDMENT

RECEIVED

NOV 26 2002

BOX RCE
Assistant Commissioner for Patents
2900 Crystal Drive
Arlington, VA 22202-3513

TECH CENTER 1600/2900

In response to the final Office Action mailed June 18, 2002 and the Advisory Action mailed October 21, 2002, please amend the application as follows.

IN THE CLAIMS

Please cancel claims 2-8, 10-21 and 23-25 without prejudice.

Please substitute the claim set in the appendix entitled Clean Version of Pending Claims for the previously pending claim set. Claims 22 is amended; claims 2-8, 10-21, and 23-25 are cancelled; and 26-34 are added. .

22. [Amended] A method for producing recombinant adenovirus [comprising contacting] consisting of transfecting a host cell with

(a) an Ad backbone plasmid comprising an Ad genome lacking map units 0 to 9.2, wherein the numbering of the map units starts with the lefthand ITR [and wherein the backbone plasmid lacks a loxP sequence], and

(b) a shuttle plasmid comprising Ad sequences from 0 to 1 map units and 9.2 to 16.1 map units of an Ad genome [wherein the backbone plasmid lacks a loxP sequence]
wherein the recombinant adenovirus is devoid of sequences necessary for packaging and replication.

clean copy attached